

DECLARATION FOR PATENT APPLICATION

Attorney Docket No: 80350-1240

As the below named inventor(s), I/we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **GASTRIC RING MADE OF VARIABLE HARDNESS ELASTOMERIC MATERIAL**, the specification of which:

- ☐ is attached hereto.
- ☐ was filed on _____ as Application Serial No. _____.
- ☐ was filed on _____ under U.S. Express Mail No. _____.
- ☒ is set forth in PCT International Application No. PCT/FR02/03933;
filed on November 15, 2002 and as amended Under PCT Article 19 on
_____ (if any).

I/we hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I/we hereby claim foreign priority benefits under Title 35, United States Code, 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed: **French Patent Application No. FR-02 00517, Filed on January 15, 2002**

I/we hereby appoint all attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

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Please address all telephone calls, in the first instance, to **James W. Kayden** at telephone number: (770) 933-9500.

Address all correspondence to:

James W. Kayden
THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.
100 Galleria Parkway, N.W., Suite 1750
Atlanta, Georgia 30339-5948

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of Sole Inventor: Salomon Benchetrit
Residence: 93, rue de Finlande, F-69300 Caluire et Cuire, France Citizenship: France
Post Office Address: N/A

Inventor's Signature: Date: 05/10/04
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